

REMARKS

Claims 1-15 and 17-27 are pending in the above-identified application. Claim 17 has been amended to more clearly depend from claim 1. No new matter is added by this amendment.

Claim Objections

Claim 17 has been amended to correct a typographical error in the stated dependency of claim 17. As such, removal of the objection is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-3, 9-15, and 17-23 are rejected under 35 U.S.C. §102(b) as being anticipated by Chishti (U.S. Patent No. 5,975,893).

Applicant respectfully submits that the cited reference fails to teach each and every element of the claimed invention, thereby precluding a finding of anticipation under 35 U.S.C. §102(b). Chishti teaches a system for repositioning teeth comprising a plurality of individual appliances, wherein the teachings of Chishti include computer modeling, including producing a digital data set representing tooth arrangements. The Examiner cites various provisions of Chishti as allegedly corresponding to and teaching certain elements of the claims of the present invention. Applicant respectfully submits, however, that the provisions of Chishti cited by the Examiner often do not at all actually teach a corresponding element of the presently claimed invention as alleged, and/or are interpreted by the Examiner in a manner that is completely unsupported by the cited references, knowledge in the art, or elsewhere.

For example, the Examiner alleges that Chishti teaches the step of compressing a digital data set, as recited in claim 1, because the Examiner interprets a "parallel digital data set...at a lower resolution" taught by Chishti (see Chishti col. 10, line 8; Fig. 4, 4A) as being equivalent to compressing a digital data set of claim 1. Applicant respectfully disagrees and submits that the Examiner's position completely lacks support in the cited reference or

knowledge in the art regarding data compression, including how data compression, in general is commonly understood in the art. Moreover, Applicant points out that the present specification is replete with disclosure regarding data compression according to methods of the present invention (see, e.g., paragraphs 0045-0047, FIG. 4, FIG. 5, etc.), which one of ordinary skill in the art would clearly recognize as being distinct from the transmission of a low resolution image taught by Chishti.

In fact, Applicant points out that the present specification specifically discloses that rather than lowering image resolution as taught by Chishti, the data compression according to methods of the present invention is accomplished while specifically maintaining high resolution of the digital data model. See, e.g., FIG. 7; and paragraph 0063. Thus, not only is the data compression of the present invention fundamentally different from simply lowering image resolution, but the compressing of the digital data set of the present invention provides the advantages of reduction in size of the file, as well as storage and transmission requirements, while maintaining good quality and high image resolution. These data compression techniques are not taught in Chishti.

As such, the cited reference fails to teach each and every element of the present invention, including compressing the digital data set and displaying the compressed digital data set, as recited in the current claims. Dependent claims 2, 3, 9-15, and 17-23 are allowable at least for depending from allowable independent claim 1. Although Applicant additionally notes that various elements set forth in dependent claims clearly are not taught by Chishti (see, e.g., claims 2, 9, etc.).

Accordingly, Applicant respectfully requests that the rejections of claims 1-3, 9-15, and 17-23 under 35 U.S.C. §102(b) be removed.

Rejections under 35 U.S.C. §103

Claims 4-8 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chishti in view of Official Notice.

As set forth above, Chishti fails to teach each and every element of the present invention. For example, Chishti does not teach compressing the digital data set and displaying

the compressed digital data set, as recited in independent claim 1 and incorporated into dependent claims 4-8 and 18. The Official Notice does not provide the teachings that are missing from Chishti.

Accordingly, Applicant respectfully requests that the rejections of claims 4-8 and 18 under 35 U.S.C. §103(a) be removed.

Claims 4-8 and 24-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chishti in view of Yamani.

As set forth above, Chishti fails to teach each and every element of the present invention. For example, Chishti does not teach compressing the digital data set and displaying the compressed digital data set, as recited in independent claim 1 and incorporated into dependent claims 4-8 and 24-26. Yamani does not provide the teachings that are missing from Chishti. Thus, even if one of ordinary skill in the art were to combine the cited references (even though there appears to be no motivation to do so), the combination would still fail to teach each and every element of the claimed invention, thereby precluding *prima facie* obviousness.

Accordingly, Applicant respectfully requests that the rejections of claims 4-8 and 24-26 under 35 U.S.C. §103(a) be removed.

Claim 27 is rejected under 35 U.S.C. §103(a) as being unpatentable over Chishti in view of Yamani and further in view of Official Notice.

As set forth above, the combination of Chishti and Yamani fails to teach each and every element of the present invention. For example, neither reference, alone or in combination, teaches compressing the digital data set and displaying the compressed digital data set, as recited in independent claim 1 and incorporated into dependent claims 4-8 and 18. The Official Notice does not provide the teachings that are missing from Chishti and Yamani.

Accordingly, Applicant respectfully requests that the rejections of claim 27 under 35 U.S.C. §103(a) be removed.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Date: _____

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Respectfully submitted,

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